

**UNITED STATES DISTRICT COURT**

**for the**

**Western District of North Carolina**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

Name of Offender: James Reuben Burton, Jr. Case Number: 3:02CR 00021-1

Name of Sentencing Judicial Officer: The Honorable Graham C. Mullen  
U.S. District Court Judge

Date of Original Sentence: 06/17/2003 Register Number: 17565-058 PACTS Number: 010961

Original Offense: Mail Fraud and Aiding & Abetting; in violation of 18:1341 & 18:2  
Mail Fraud and Aiding & Abetting; in violation of 18:1341 & 18:2  
Mail Fraud and Aiding & Abetting; in violation of 18:1341 & 18:2  
Money Laundering and Aiding and Abetting; in violation of  
18:1956(1)(1)(A)(I) & 18:2  
Securities Fraud and Aiding & Abetting; in violation of 1577(q) & 18:2

Original Sentence: The defendant to be imprisoned for a term of sixty (60) months on Counts 1, 2, 3 & 5, each count to run concurrently; Count 4 seventy (70) months, to run concurrently with Counts 1, 2, 3, & 5, to be followed by a term of three (3) years supervised release. The following special conditions were ordered: 1) The defendant to pay a special assessment fee of \$500.00 (satisfied); 2) The defendant to pay restitution in the amount of \$3,204,078.98 (outstanding balance of \$2,727,977.89).

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/10/2008

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**PETITIONING THE COURT**

- ☐ To extend the term of supervision for years, for a total of years.  
☒ To modify the conditions of supervision as follows:

"The defendant's supervision will be allowed to expire with the outstanding financial obligation to be collected by civil means through the U.S. Attorney's Office."

### CAUSE

The defendant has demonstrated an interest, and has made efforts to satisfy his restitution balance by making routine monthly payments towards his outstanding restitution balance since the commencement of his term of supervised release. Although Mr. Burton has continued to make payments, his restitution balance will not be completely satisfied by his expiration date of 11/09/2011.

The defendant has been advised of his rights under Rule 32.1(c) and has agreed to this modification.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

by s/ Bonney Price

Bonney Price  
U.S. Probation Officer  
(704) 350-7680  
Date: 02/14/2011

Approved By: s/ Jeffrey L. Helms

Jeffrey L. Helms  
Supervising U.S. Probation Officer

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### THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

Date: \_\_\_\_\_



Graham C. Mullen  
United States District Judge



